

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Agenda September 23, 2014 7:00 P.M.

Call to Order -

Roll Call-

Invocation given by Marbelys Fatjo, Acting City Clerk

Pledge of Allegiance led by Council Vice President Luis Gonzalez

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations –

- Florida State Senator Rene Garcia hosts a Ceremonial Check Presentation to the City of Hialeah with the allotments on the State Budget given to the City.

1. Announcement of Amendments/Corrections to the Agenda –

2. Consent Agenda—

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A.** Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on September 9, 2014. (OFFICE OF THE CITY CLERK)
- B.** Request permission to reschedule the City Council meeting of Tuesday, November 11, 2014 to Thursday, November 13, 2014 in observance of Veterans Day. (OFFICE OF THE CITY CLERK)
- C.** Request from ABC Promotions Unlimited, Inc., for a Christmas Tree Sales Permit, to benefit the Hialeah Concerned Families, from November 10, 2014 through January 10, 2015 which includes set-up and take down time, to be located at 1460 West 49 Street in front of the K-mart store. Sales will commence on November 20, 2014 and end on January 1, 2015. (OFFICE OF THE CITY CLERK)
- D.** Request from Lowe's Companies, Inc., for a Christmas Tree Sales Permit, with sales beginning on November 22, 2014 and ending on December 26, 2014, to be located at Lowe's of Hialeah, FL, 1650 West 37 Street, Hialeah, Florida 33012. (OFFICE OF THE CITY CLERK)
- E.** Request permission to increase purchase order # 2014-1924, issued to R.J Behar & Company, for additional Civil Engineering services for the Cultural Park, by an additional amount of \$10,000, for a new total cumulative amount not to exceed \$20,000. R.J. Behar & Company, Inc., an authorized engineering firm previously approved by the City Council, was awarded the civil engineering services for the Cultural Park during the City Council meeting of April 23, 2013. (CONSTRUCTION AND MAINTENANCE DEPT.)
- F.** Request permission to enter into a service contract with Medical Priority Consultants, Inc., d/b/a Priority Dispatch Corp., sole source vendor, for the license and service agreement maintenance of the EMD system in fiscal year 2014-2015, in a total cumulative amount not to exceed \$16,384. (FIRE DEPT.)
- G.** Request permission to issue a purchase order to Bennett Fire Products Company, Inc., sole source vendor, to purchase firefighting equipment and firefighter personal protective equipment to outfit new recruits with safety gear and to repair existing equipment in fiscal year 2014-2015, in a total cumulative amount not to exceed \$50,000. (FIRE DEPT.)
- H.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to K & G Associates, Inc. d/b/a TradeMaster, Inc., for the Mobile Eyes Annual Software maintenance fee effective October 1, 2014 through September 30, 2015, in a total cumulative amount not to exceed \$19,642. (FIRE DEPT.)
- I.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Anro Enterprises, Inc. d/b/a Diago Dry Cleaners, for

uniform laundering and dry cleaning services for fiscal year of 2014-2015, in a total cumulative amount not to exceed \$30,000. (FIRE DEPT.)

- J.** Request permission to issue a purchase order to Municipal Emergency Service, sole source vendor, for TargetSolutions educational online training courses and track training hours for I.S.O. requirements for firefighters and paramedics in fiscal year 2014-2015, in a total cumulative amount not to exceed \$16,625. (FIRE DEPT.)
- K.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Totalcaring Health, Education & Staffing, Inc., for medical educational training courses in fiscal year 2014-2015, in a total cumulative amount not to exceed \$25,000. (FIRE DEPT.)
- L.** Proposed resolution authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to enter into an Interlocal Agreement attached hereto and made a part hereof as Exhibit "1", between Miami-Dade County and the City of Hialeah for the purpose of establishing the terms, conditions and responsibilities of the parties with respect to the care and custody of the Phase 1 Biowatch Sampling Kit provided to the City of Hialeah by the U.S. Federal Government. (FIRE DEPT.)
- M.** Request permission to increase purchase order #2014-228, since it is advantageous to the City, issued to Rechten International Trucks, Inc., to purchase truck parts and accessories for City trucks, by an additional amount of \$5,000, for a new total cumulative amount not to exceed \$85,000. (FLEET MAINTENANCE DEPT.)
- N.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Gus Machado Ford, Inc., to purchase automotive replacement Ford parts at cost plus 8% for City vehicles in fiscal year 2014-2015, in a total cumulative amount not exceed \$45,000. (FLEET MAINTENANCE DEPT.)
- O.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Southern Sewer Equipment Sales and Service, Inc., to purchase truck parts and services for City vehicles in fiscal year 2014-2015, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- P.** Request permission to utilize Miami Dade County Bid #5745-2/14-2 – Parts/SVCS for Buses & SUP Equip-Prequal, and issue a purchase order to Total Truck Parts, Inc., to purchase aftermarket Original Equipment Manufacturer parts for City's trucks and buses in fiscal year 2014-2015, in a total cumulative amount not exceed \$120,000. (FLEET MAINTENANCE DEPT.)
- Q.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Clarke Waste Systems, Inc., to purchase garbage equipment parts and accessories for City vehicles in fiscal year 2014-2015, in a total cumulative amount not to exceed \$25,000. (FLEET MAINTENANCE DEPT.)
- R.** Request permission to utilize State of Florida Contract # 863-000-10-1, and issue a purchase order to Tiresoles of Broward, Inc. d/b/a Miami Tiresoles, an authorized dealer

of The Goodyear Tire and Rubber Company, to purchase tires and road call service on vehicles for Public Works, Fire Department, and Water and Sewer Department in fiscal year 2014-2015, in a total cumulative amount not to exceed \$200,000. (FLEET MAINTENANCE DEPT.)

- S. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Growers Equipment Company, the only authorized local dealer for new Holland Equipment, to purchase of Ford equipment parts and accessories for City trucks in fiscal year 2014-2015, in a total cumulative amount not to exceed \$70,000. (FLEET MAINTENANCE DEPT.)
- T. Request permission to utilize State of Florida Contract #760-000-10-1 – Construction, Industrial, Agricultural and Lawn Equipment, and issue a purchase order to Kelly Tractor Co, to purchase caterpillar parts and services for the City’s Caterpillar heavy equipment in fiscal year 2014-2015, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- U. Request permission to utilize Miami-Dade County Bid #5745-2/14-2 – Parts/SVCS for Buses & SUP Equip-Prequal, and issue a purchase order to TPH Acquisition LLLP, d/b/a The Parts House, to purchase automotive parts and accessories for City vehicles in fiscal year 2014-2015, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- V. Request permission to utilize Miami-Dade County Bid #5745-2/14-2 – Parts/SVCS for Buses & SUP Equip-Prequal, and issue a purchase order to Rechtiem International Trucks, Inc., to purchase of truck parts and accessories for City trucks in fiscal year 2014-2015, in a total cumulative amount not to exceed \$80,000. (FLEET MAINTENANCE DEPT.)
- W. Request permission to utilize State of Florida Contract # 863-000-10-1, and issue a purchase order to Wingfoot Commercial Tire Systems, LLC, to purchase new tires for vehicles assigned to Public Works, Fire Department, and Water and Sewer in fiscal year 2014-2015, in a total cumulative amount not exceed \$200,000. (FLEET MAINTENANCE DEPT.)
- X. Request permission to utilize City of Miami Contract #270252(16), a competitively bid governmental contract, and issue a purchase order to LESC, Inc., to purchase emergency equipment and supplies for City vehicles in fiscal year 2014-2015, in a total cumulative amount not exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- Y. Request permission to utilize U.S. General Services Administration (GSA) contract # GS-07F-0113N, and issue a purchase order to Barnes Group Inc., to purchase hardware supplies in fiscal year 2014-2015, in a total cumulative amount not exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- Z. Request permission to utilize State of Florida Contract #863-000-10-1, and issue a purchase order to South Dade Automotive, Inc., to purchase tires for City vehicles in

fiscal year 2014-2015, in a total cumulative amount not exceed \$55,000. (FLEET MAINTENANCE DEPT.)

- AA.** Request permission to waive competitive bids, since it is advantageous to the City, and issue a purchase order to Palmetto Ford Truck Sales, Inc., to purchase Ford and Sterling truck parts for City vehicles in fiscal year 2014-2015, in a total cumulative amount not exceed \$50,000. (FLEET MAINTENANCE DEPT.)
- BB.** Request permission to utilize Miami Dade County Bid #1070-5/14-5 – Automotive & Truck Parts and Repair Serv., and issue a purchase order to Uni-Select USA, Inc., to purchase Ford and AC Delco parts in fiscal year 2014-2015, in a total cumulative amount not to exceed \$100,000. (FLEET MAINTENANCE DEPT.)
- CC.** Request permission to utilize Miami Dade County Bid #5745-2/14-2 – Parts/SVCS for Buses & SUP Equip-Prequal, and issue a purchase order to Aero Hardware & Supply, Inc., to purchase hydraulic hoses and fittings in fiscal year 2014-2015, in a total cumulative amount not to exceed \$30,000. (FLEET MAINTENANCE DEPT.)
- DD.** Request permission to issue a purchase order to Macmillan Oil Company of Florida Inc, to purchase gasoline and diesel fuel for City vehicles in fiscal year 2014-2015, in a total cumulative amount not exceed \$1,200,000.00. This vendor was awarded Hialeah Bid No. 2010/11-3220-24-010 – Gasoline and Diesel Fuels during the Council Meeting of November 23, 2010. (FLEET MAINTENANCE DEPT.)
- EE.** Request permission to utilize Miami Dade County Bid #5745-2/14-2 – Parts/SVCS for Buses & SUP Equip-Prequal, and issue a purchase order to Cummins Power South, LLC, to purchase Cummins equipment parts and accessories for City trucks in fiscal year 2014-2015, in a total cumulative amount not to exceed \$45,000. (FLEET MAINTENANCE DEPT.)
- FF.** Request permission to utilize Miami Dade County Bid #5745-2/14-2, and issue a purchase order to K.V.P. Enterprises Inc., d/b/a Expert Diesel, to purchase engine parts for the City's heavy equipment in fiscal year 2014-2015, in a total cumulative amount not to exceed \$20,000. (FLEET MAINTENANCE DEPT.)
- GG.** Request permission to utilize Miami Dade County Bid #5745-2/14-2 – Parts/SVCS for Buses & SUP Equip-Prequal, and issue a purchase order to Electric Sales and Service, Inc., to purchase starters and alternators for City trucks and vehicles in fiscal year 2014-2015, in a total cumulative amount not to exceed \$20,000. (FLEET MAINTENANCE DEPT.)
- HH.** Request permission to utilize Miami Dade County Bid #5745-2/14-2 - Parts/SVCS for Buses & SUP Equip-Prequal, and issue a purchase order to Florida Transportation Systems, Inc., to purchase Blue Bird parts for the City's Blue Bird buses in fiscal year 2014-2015, in a total cumulative amount not to exceed \$50,000. (FLEET MAINTENANCE DEPT.)

- II.** Request permission to issue a purchase order to Rainbow Window Tinting Inc. d/b/a Rainbow Emergency Equipment, to purchase emergency equipment and supplies for City vehicles in fiscal year 2014-2015, in a total cumulative amount not to exceed \$35,000. This vendor was awarded Hialeah Bid # 2011/12-3220-36-038 – Furnish and Install Emergency Vehicle Equipment during the City Council Meeting of March 27, 2012, for a three year period commencing on March 27, 2012 and ending on March 27, 2015. (FLEET MAINTENANCE DEPT.)
- JJ.** Request permission to issue a purchase order to Sirsi Corporation, sole source vendor, for the maintenance and support of the City's web-based library system from SirsiDynix, in a total cumulative amount not to exceed \$35,955.39. (LIBRARY DIVISION)
- KK.** Request permission to make payment to Hialeah Housing Authority for the Senior Citizens Activities in fiscal year 2014-2015, in a total amount not to exceed \$35,063. Further, request permission to make payment to the Hialeah Housing Authority, for the Hot Lunch Program in fiscal year 2014-2015, in a total amount not to exceed \$135,000. (OFFICE OF MANAGEMENT AND BUDGET)
- LL.** Request permission to make required payments to various vendors, for services and utilities, including utilities of telephones and electric, purchase of water, sewage disposal, solid waste dumping fees, postage and insurance, in a total cumulative amount not to exceed \$70,708,525. (OFFICE OF MANAGEMENT AND BUDGET)
- MM.** Request permission to issue a purchase order to Coca-Cola Refreshments USA, Inc., to purchase Cola-Cola products for the concession operations and for various special events throughout the 2014-2015 fiscal year of the City's Parks and Recreation Department, in a total cumulative amount not to exceed \$35,000. The City Council adopted Ordinance No. 2012-59 on September 25, 2012 authorizing the Mayor, on behalf of the City, to enter into a license and sponsorship agreement with this vendor commencing on July 1, 2012 and ending on June 30, 2017. (PARKS AND RECREATION)
- NN.** Request permission to issue a purchase order to Pizzerias, LLC., d/b/a Papa John's Pizza, to purchase pizzas for the purpose of selling the concession sales and for various special events throughout the 2014-2015 fiscal year of the City's Parks and Recreation Department, in a total cumulative amount not to exceed \$35,000. The City Council adopted Resolution No. 2014-083 on June 24, 2014 making Papa John's Pizza the exclusive pizza provider to the City for a term of four years commencing on July 1, 2014 and ending on June 30, 2018. (PARKS AND RECREATION)
- OO.** Request permission to waive competitive bidding, since it is advantageous to the City, and authorize the City's Parks and Recreation Department to purchase necessary food and miscellaneous items for all of the City's concession stands and special events in fiscal year 2014-2015 from the following three vendors: Sysco South Florida, Inc., Cheney Bros., Inc., and Caraballo Distributors, Corp, in a total cumulative amount not to \$50,000. (PARKS AND RECREATION)
- PP.** Proposed resolution of the Mayor and the City Council of the City of Hialeah, Florida, approving the expenditure totaling an amount not to exceed one thousand five hundred dollars (\$1,500.00) from the Law Enforcement Training Trust Fund, for the purchase of

Speer Brand Law Enforcement Ammunition from Florida Bullet, Inc., a sole source vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)

3. Second reading and public hearing of proposed ordinance amending Chapter 90 entitled “Vehicles for Hire”, “Article III. Wrecker Service” of the Code of Ordinances and in particular amending Hialeah Code §98-171 “Definitions” to define “Immobilization”; and further by creating Section 90-179 entitled “Immobilization” requiring a business tax receipt, setting the maximum fee of \$20.00 for removal of the immobilization device and \$15.00 for removal of the immobilization device when the operator is still on the property; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

This item was approved on first reading on September 9, 2014

4. Pursuant to Section 2.01 of the City’s Charter, Mayor Hernandez appoints Miguel Anchia, subject to civil service rules and regulations, to the position of Hialeah Fire Chief. (ADMINISTRATION)
5. Board Appointments –
6. Unfinished Business –
7. New Business –
8. Comments and Questions -

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor’s approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor’s signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

- PZ 1. Second reading and public hearing of proposed ordinance granting a Special Use Permit (SUP) to allow the use of a prefabricated building on property zoned M-1 (Industrial District) for extended period of time not exceeding *42 months* from the effective date of this ordinance for a temporary sorting facility for the loading and unloading, sorting and distribution of mail packages. **Property located at 6001 East 8 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. *Applicant: United Parcel Service, Inc.*

Item was approved on first reading on September 9, 2014.

Item was approved on first reading on August 26, 2014. The item needs to be heard on first reading again due to a change in the ordinance.

Item was approved by the Planning and Zoning Board on August 13, 2014.

FINAL DECISION

FD 1. Proposed resolution approving the final decision of the planning and zoning board, decision no. 14-12 that granted adjustments on property located at **7091 West 4 Way, Hialeah Florida**; and providing for an effective date. *Applicant: Diana R. Rodriguez*

Item was approved by the Planning and Zoning Board on August 27, 2014.

NEXT CITY COUNCIL MEETING: October 14, 2014 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: November 25, 2014 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).